

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

United States of America,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil No.
	)	
One Hundred Fifteen Thousand Five Hundred	)	JURY TRIAL REQUESTED
Dollars (\$115,500.00) in U.S. Currency, more or	)	
less, seized from Esmael B. Teixeira,	)	
	)	
Defendant <i>in rem</i> .	)	
_____	)	

**VERIFIED COMPLAINT FOR FORFEITURE *IN REM*,  
FOR PROPERTY WITHIN THE UNITED STATES' POSSESSION, CUSTODY  
OR CONTROL PURSUANT TO SUPPLEMENTAL RULE G**

Plaintiff, United States of America, brings this Complaint according to Supplemental Rule G(2) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions, and alleges:

**NATURE OF THE ACTION**

This is an action to forfeit and condemn to the use and benefit of the United States of America the captioned defendant *in rem* pursuant to 21 U.S.C. § 881(a)(6).

**JURISDICTION AND VENUE**

The Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1345 and 1355(a). Venue is proper in this district pursuant to 28 U.S.C. §§ 1395 and 1355(b)(1).

**THE DEFENDANT *IN REM***

The defendant *in rem* is: One Hundred Fifteen Thousand Five Hundred Dollars (\$115,500.00) in U.S. Currency, more or less, seized from Esmael Teixeira. The defendant *in rem* is currently in the custody of the United States Marshals Service (USMS).

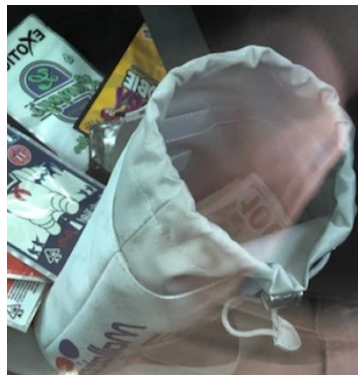
## **FACTS**

1. On July 11, 2020, a law enforcement officer was conducting a routine patrol in Hudson, NH, while driving a fully marked police car. A gray sedan swerved into the officer's lane of travel, and as the sedan passed the patrol car, the officer saw that part of the rear brake light was out. Esmael Teixeira ("Teixeira") was the driver of the vehicle. The registered owner of the vehicle was not present.

2. The officer explained the reasons for pulling Teixeira over and asked him where he was heading. Teixeira said that he was headed home to 173 Highland Street. While the officer was speaking with Teixeira, he could smell a strong marijuana odor, and saw a white satchel bag on the passenger seat, and a large red duffel bag on the rear seat.

3. The officer contacted dispatch and learned that Teixeira had an active warrant from June of 2019 for possession of drugs and transporting drugs in a motor vehicle. The officer arrested Teixeira and searched him incident to his arrest. Teixeira had a large amount of money in his pocket, which he said was "four or five grand." He did not explain why he had so much money on him. Once counted, the money totaled \$7,270.00.

4. A search warrant was executed for the vehicle. Inside a white bag on the front seat, the officer found approximately \$23,000.00 in U.S. Currency, and eight packages of marijuana infused products.



Officers seized 26 packages of marijuana infused products from a small cooler on the floor of the front passenger seat, and 72 packages of marijuana infused products from a red duffel bag on the rear seat.



Inside the trunk, officers seized 183 packages of marijuana infused products from a large black bag in the trunk, and eight glass jars containing hash from a black Jordan backpack.



5. While Teixeira was in custody, an officer read him his Miranda Rights and asked him if the white Louis Vuitton bag on the passenger seat belonged to him. Teixeira said that it was, but denied any knowledge regarding the contents of the bag. Teixeira said that he was a self-employed accountant and gets paid in cash. He said that the reason that he had so much cash with was to purchase jewelry.

6. Later that day, a search warrant was executed at Teixeira's address, 173 Highland Street in Hudson, New Hampshire. In the basement, officers found and seized: an electric

money counter with several zip lock bags, from an end table, packaging materials in the basement, several empty postal boxes and a vacuum sealer. In the basement refrigerator, officers seized 34 of pre-packaged marijuana and raw marijuana seeds.



In the bedroom officers found and seized vacuum sealer accessories, packaging materials, and approximately \$85,000 in U.S. Currency, and an unsecured blue Smith and Wesson revolver with an eradicated serial number.



7. The total amount of money seized from Teixeira's person, vehicle, and house was \$115,500.00 in U.S. Currency, the defendant *in rem*. A total of approximately 6.5 pounds of marijuana was seized from the vehicle and house.

8. Teixeira's criminal history includes a 2005 misdemeanor conviction for possession of drugs, and an active arrest warrant for a 2019 misdemeanor charge for possession of a controlled drug and transporting drugs.

**CLAIM FOR FORFEITURE**  
**21 U.S.C. § 881(a)(6)**

9. The allegations contained in paragraphs 1-8 of this Verified Complaint for Forfeiture *in Rem* are incorporated by reference.

10. Title 21, U.S.C. § 881(a)(6) subjects to forfeiture "all moneys ... or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or ... all proceeds traceable to such an exchange and all moneys ... used or intended to be used to facilitate any violation of" the Controlled Substances Act.

11. The defendant *in rem* was furnished or intended to be furnished in exchange for a controlled substance, in violation of the Controlled Substances Act, 21 U.S.C. § 801, et seq., or represents proceeds traceable to such exchanges, or money used or intended to be used to facilitate violations of the Act. As a result, the defendant *in rem* is liable for condemnation and forfeiture to the United States for its use in accordance with 21 U.S.C. § 881(a)(6).

**PRAYERS FOR RELIEF**

Therefore, the United States requests that:

- (a) the Clerk of Court issue a Warrant of Arrest *in Rem*, in the form submitted with this Verified Complaint, to the United States Marshals Service, commanding them to arrest the defendant *in rem*;
- (b) this matter be scheduled for a jury trial;
- (c) judgment be entered against the defendant *in rem*;
- (d) the defendant *in rem* be disposed of according to law; and

(e) this Court grant the United States its costs and whatever other relief to which it may be entitled.

Respectfully submitted,

JOHN J. FARLEY  
Acting United States Attorney

Dated: April 7, 2021

By: /s/ Robert J. Rabuck  
Robert J. Rabuck  
NH Bar # 2087  
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**VERIFICATION**

I, Cody T. Lambert, being duly sworn, depose and say that I am a Task Force Officer assigned to the Drug Enforcement Administration, and as such have responsibility for the within action, that I have read the contents of the foregoing Verified Complaint for Forfeiture *in rem* and know the contents therein, and that the same is true to the best of my knowledge, information and belief.

The sources of my information and the grounds of my belief are official records and files of the United States and the State of New Hampshire, and information obtained by me and other law enforcement officers during an investigation of alleged violations of the controlled substances laws of the State of New Hampshire and of the United States.

/s/ Cody T. Lambert  
Cody T. Lambert

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

Subscribed and sworn to before me this 7th day of April 2021.

/s/ Ana C. Diaz  
Notary Public

My commission expires: January 18, 2022.